

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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GLOBAL NETWORK COMMUNICATIONS, INC., :
: Plaintiff, : 07 Civ. ____
: :
- against - :
: : DECLARATION
CITY OF NEW YORK and CITY OF NEW YORK :
DEPARTMENT OF INFORMATION :
TECHNOLOGY AND TELECOMMUNICATIONS, :
: Defendants. :
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JOSEPH P. GARLAND, under the penalties of perjury, declares:

1. I am the attorney for Plaintiff Global Network Communications (“Global”), the Plaintiff herein, and I make this declaration in support of Global’s application for a temporary restraining order and preliminary injunction to prevent Defendants from continuing to remove and destroy assets and the property of Global and thereby prevent Global from selling those assets to a third-party.

2. Given the immediacy of the situation – namely the on-going physical removal by Defendants of Global assets – it is necessary that Global make an emergency application to the Court for an immediate order stopping the continuation of the removal.

3. Attached as Exhibit 6 to the Massie Declaration of December 13, 2007 are copies of letters that I sent to Ms. Murray with respect to Defendants’ decision to remove Global PPTs.

4. On December 12, 2007, I advised Diana Murray, an assistant corporation counsel of the City of New York who represents Defendants in a prior action in this Court, that Plaintiff planned on applying for a temporary restraining order and preliminary injunction related to the

removal of public pay telephones of Global that are on the public rights-of-way in the City.

5. Ms. Murray advised me that she was unavailable on the morning of December 13, but she declined my request that Defendants cease removing Global PPTs pending an appearance before the Court.

6. Before submitting the papers related to the application for a temporary restraining order and preliminary injunction, I will serve a copy of the papers by e-mail upon Ms. Murray and Bruce Regal, another attorney at the office of the Corporation Counsel who has appeared for Defendants in the prior action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Dated: New York, New York
December 13, 2007

Joseph P. Garland